

16 CR 32 (PKE)

To the honorable Ronald L. Ellis

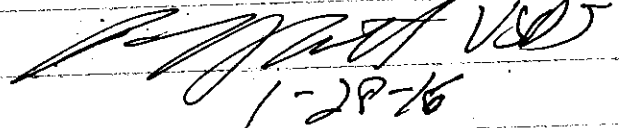
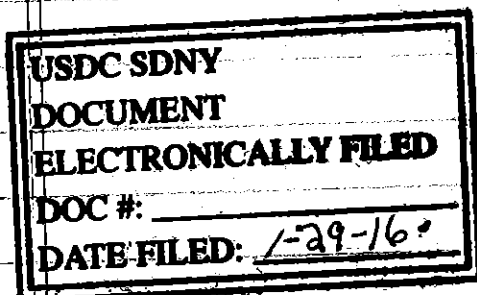
1/19/16

I been incarcerated on a Complaint for 6 months. I have repeatedly told my lawyer that I do not want him to give the government an extension. I am on supervised release and I have not seen a Judge for my violation. I do not know what is going on. If it's possible can you please find out what is going on with my case.

Lewis Clarke

Mr. Gerschner, Mr. Kozlowski ad/or Mr. Witzel shall meet with Mr. Clarke within 14 days of this Order ad confirm same to this Court.

SO ORDERED


1-29-16

MEMO ENDORSED

TO: Magistrate Judge Ronald L. Ellis
FR: Lewis Clarke Reg# 68501054
RE: Constitutionally invalid complaint

Jan. 13, 2016

Dear Judge Ronald L. Ellis,

I was arrested on July 15, 2015, for picking up a bag from on top of a garbage container in My own housin area that was left abandoned. My liberty was taken from Me without due process and equal protection of the law, and I was seriously beaten and suffered a broken right hand.

I've been held in Federal custody since July 15, 2015 after being treated for My broken hand and imprisoned with only one court appearance which was in Your Court July 15, 2015 (six(6) months ago).

I have not had a preliminary hearing in six(6) months nor have I ever waived such right pursuant to FRCrim P 5.1. This right I have is a substantial right and it too has been violated. The law on this is well settled that if no preliminary hearing is given within fourteen (14) days, the defendant must be released.

There has been no action taken by a federal grand jury in violation of Title 18 U.S.C.S. 316(b). There is no Just or reasonable purpose for such delay. My Court appointed Attorney (Lawrence Gerschwer) has been completely ineffective in this matter to the fullest extent. The Government has taken full advantage of these constitutionally triggered matters.

I trust in the integrity of the court and prompt response to this serious plea for action against the violations imposed upon Me.

My Court Appointed Attorney has been completely ineffective in every manner of the word. Defense Counsel has failed to investigate this matter after continually being instructed to do so as a matter of law.

Strickland v. Washington 446 US 668 (1984) When an Attorney fails to conduct a substantial investigation into any of His clients plausible lines of defense, the Attorney has failed to render effective assistance of counsel.

In this matter all that Counsel has done is continually threaten defendant with substantial prison sentence numbers like 30 years to life as provided by Attorney in His Attorney work product draft.

I ask Your Honor to please adhere to the following facts which are the Nature and circumstances of this alleged crime charged.

SYNOPSIS OF NATURE OF MATTER

On July, 15, 2015 Federal Agents admit to have left a Handgun on a Garbage container in the open public. Such handgun was said to be discovered in the Patterson Courtyard after a group of people dispersed from the area after alleged observing approaching agents. Offers looked around courtyard and discovered a black bagk on top of garbage can and opened it. Inside the black bagk was a purse containing a .38 caliber handgun. The Agents endanger the community by negligently placing firearm back in purse and back in the black bag and placing back on top of the garbage container.

It is important to note that handgun was placed approx. 20 feet from a play area for children. Regardless of the time it was placing the community in danger. Children frequent in the courtyard at late hours. it's their home and sanctuary.

Agents did not have to leave a real handgun in the bag in the open public. Defendant who lives at the Patterson Courtyard went out to Courtyard to smoke His usual Cigar (Black & Mild). Defendant never committed any crime. Anyone could have spotted that bag and walked off for many reasons with bag which clearly had a pink purse inside. With good intentions or bad.

Defendant never had a chance to look inside the purse. Agents jumped on him once they had physical contact with defendant and they beat him to the point that they broke his hand. They even went as far as assaulting defendant's sister by pushing her down the steps.

Not only did the agents leave a handgun in the open public and walk away over 50 feet away, they victimized the defendant and his family. These hungry and negligent agents disregarded the safety and well being of the community for a collar.

The question is , "what if a child would have grabed bag and ran off. What if that child died that night because of the agents acts.

The important question here is what crime did the defendant commit? What crime did the defendant have a chance to commit? What crime would have an innocent citizen committed if they discovered the bag?

This matter has every ground for dismissal and evidence discovered subsequent to these constitutionally disturbing nature should be suppressed.